UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/399,578	09/20/1999	DANIEL L. MARKS	AIS-P99-1	2427

7590   02/14/2003

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EXAMINER
WINDER, PATRICE L

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _02 December 2002_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-176_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-176_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _9, 13-14, 18_

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statements (IDS) submitted on May 6, 2002, paper

#14 and July 8, 2002, paper #18 contain patents and/or publications available after

applicant's priority date. In each applicable case, the reference cited is considered for

historical purposes only.

Request for Information Under 37 CFR 1.105

2.   The response to the request for information is acknowledged as being received

on December 2, 2002, paper #20.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-176 rejected under 35 U.S.C. 102(e) as being anticipated by Bennett et

al., USPN 5,826,085 (hereafter referred to Bennett).

5.   Regarding claim 1, Bennett taught a method for using a computer system to

distribute communication over an Internet network (column 3, lines 36-41, column 4,

lines 7-11), the method including the steps of:

connecting a plurality of participator computers with a controller computer

through the Internet, each said participator computer connected to an input device to

receive input information from a respective user and to an output device (column 3, line

64 – column 4, line 27), each said user having a user identity (each user having a user

account);

programming the controller computer to control distributing the communication

(column 4, lines 29-49);

programming the participator computers to enable receiving the communication

(column 3, line 64 – column 4, line 27);

arbitrating with the controller computer, in accordance with predefined rules

including at test for an authenticated user identity, to determine which one of the

participator computers can receive the communication, including a sound, a video, a

graphic, a pointer-triggered message, or a combination thereof, wherein said arbitrating

with said pointer-triggered message includes said controller computer using said pointer

to fetch pre-stored data (column 7, lines 34-64, column 12, lines 53-66); and

distributing, in accordance with the predefined rules, the communication in real

time over the Internet to the one of the participator computers (column 7, lines 6-33).

6.   Regarding claim 160, Bennett taught a method for using a computer system to distributed communication over an internet (column 3, lines 36-41, column 4, lines 7-11), the method including the steps of:

obtaining, for each of a plurality of participator computers, a respective user identity from a controller computer over the Internet network, each of said participator computer connected to an input device to receive input information from a respective user and to an output device (column 7, line 34 – column 8, line 15);

programming the participator computers to enable communication, including a sound, a video, a graphic, a point-triggered message, or a combination thereof, wherein said pointer-triggered message includes said controller computer using said pointer to fetch pre-stored data, and wherein said communication is controlled using said user identity (column 3, line 64 – column 4, line 27);

connecting said participator computers to said Internet network (column 4, line 6-11); sending said communication from one of said computers (column 11, line 58 – column 12, line 6); and

distributing, in accordance with predefined rules, said communication in real time over the Internet network to at least one of said participator computers (column 12, lines 7-67).

7.   Regarding claim 165, Bennett taught a method for using a computer network system to distribute communication over an Internet network (column 3, lines 36-41, column 4, lines 7-11), the method including the steps of:

obtaining, for each of a plurality of participator computers, a respective user

identity from a controller computer over the Internet network, each said participator

computer connected to an input device to receive input information from a respective

user and to an output device (column 7, line 34 – column 8, line 15);

programming the participator computer to enable communication, including a

sound, a video, a graphic, a point-triggered message includes said controller computer

using said pointer to fetch pre-stored data (column 3, line 64 – column 4, line 27);

connecting said participator computers to said Internet network (column 4, line 6-

11); sending said communication from one of said computers (column 11, line 58 –

column 12, line 6); and

distributing, in accordance with the predefined rules, said communication in real-

time over the Internet network to at least one of said participator computers (column 7,

lines 6-33).

8.   Regarding dependent claims 2-159, 161-164, 166-176, Bennett taught audio,

video, graphics (column 4, lines 29-49) and multimedia communication and features

associated with restriction through user identity (restriction, column 12, line 40 – column

15, line 20).

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

a.   Hoffer, USPN 5,799,151: taught interactive electronic trade network and

user interface for engaging in real-time conferencing;

b.   Arora et al., USPN 5,812,552 : taught a conference configurator

executing a multimedia application and sending the executables of the

multimedia application in real-time to each end-station.

c.   Watabe et al.; Distributed Multiparty Desktop Conferencing System –

Mermaid: taught a system for sharing information in such multimedia forms as

video images, voice, text, graphics, still images and handdrawn figures.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Patrice Winder whose telephone number is (703) 305-

3938. The examiner can normally be reached on Monday-Friday from 10:30 AM to 7:00

PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh, can be reached on (703) 305-9648. The fax phone number(s)

for this Group are after final (703) 746-7238; official (703) 746-7239 and non-

official/draft (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Group receptionist whose telephone number is

(703) 305-3900.

PATRICE WINDER
PRIMARY EXAMINER